

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**WEST, WEBB, ALLBRITTON &  
GENTRY, P.C.,**

**Plaintiff,**

**v.**

**SURESH DUTTA, M.D.,**

**Defendant.**

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**Civil Action No. 3:05-CV-1152-P**

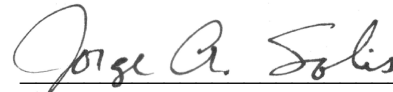
**ECF Case**

**ORDER**

After making an independent review of the pleadings, files, and records in this case, and the Findings, Conclusions, and Recommendation of the of the United States Magistrate Judge, I am of the opinion that the Findings, Conclusions, and Recommendation of the Magistrate Judge are correct and are adopted as the Findings and Conclusions of the Court.

It is therefore ORDERED that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are adopted. Accordingly, *Plaintiff's Motion to Hold Defendant in Contempt of Court* is **GRANTED, in part**, and **DENIED, in part**. Plaintiff's motion is **DENIED** to the extent that the motion requests that Defendant be held in contempt, imprisoned, and forced to pay a \$500 per week penalty for his failure to pay the award of attorneys' fees and costs associated with Plaintiff's motion to compel by December 30, 2005. However, the motion is **GRANTED** to the extent that it seeks to compel an order that Defendant pay those attorneys' fees and costs in the sum of \$2919.35. Plaintiff's motion is also **GRANTED** insofar as it requests the award of reasonable attorneys' fees of \$1332.50 incurred in the filing of the motion for contempt. Defendant must pay the sum of those fees, \$4251.85, by March 27, 2006, unless otherwise agreed by the parties.

SO ORDERED, this 24<sup>th</sup> day of February 2006.

A handwritten signature in cursive script, reading "Jorge A. Solis". The signature is written in black ink and is positioned above a horizontal line.

JORGE A. SOLIS

UNITED STATES DISTRICT JUDGE